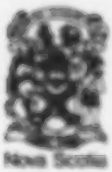


ANNUAL REPORT

for the fiscal year ending March 31, 1989

Department of Labour

ISSN 0835-3182

92-01071

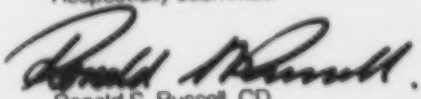
To His Honour

The Honourable Alan R. Abraham, C.D.
Lieutenant-Governor of Nova Scotia

Sir:

I have the honour to submit herewith the annual report of the Department of Labour for the fiscal year ending March 31, 1989.

Respectfully submitted



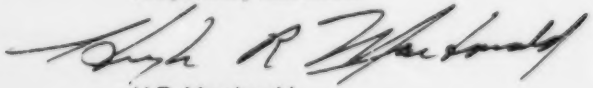
Ronald S. Russell, CD
Minister of Labour

To the Honourable Ronald S. Russell, C.D.
Minister of Labour

Sir:

I have the honour to submit herewith the report for the Department of Labour for the fiscal year ending March 31, 1989.

Respectfully submitted,



H.R. Macdonald
Deputy Minister

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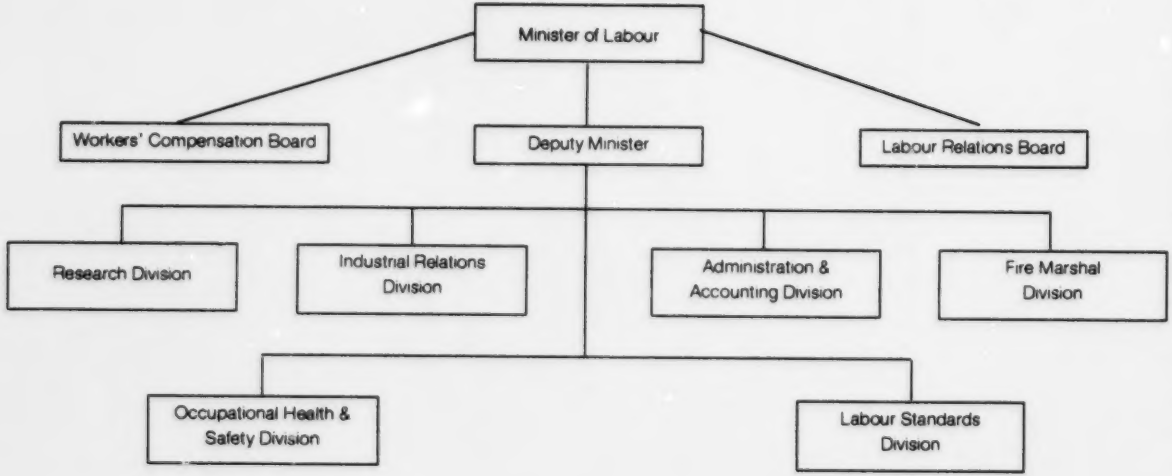
ORGANIZATION OF THE DEPARTMENT OF LABOUR



*Total Personnel
Excluding Part-time
Boards and Commissions—127

ADMINISTRATIVE PERSONNEL

Office of the Minister and Deputy Minister

Minister ..... Ronald S. Russell, C.D.
Deputy Minister ..... H.R. Macdonald
Assistant to the Deputy Minister ..... P.F. Langlois

Administration and Accounting Division

Director of Office Services ..... P.G. Horne

Industrial Relations Division

Director of Conciliation Services ..... W. McCallum

Research Division

Director ..... Jean Dobson

Occupational Health and Safety Division

Executive Director ..... J.F. Noonan
Director, Occupational Safety Section ..... D.D. Todd
Director, Occupational Health Section ..... J. LeBlanc
Director, Mine Safety Inspection and Mine Rescue Section ..... C. White
Director, Accident Prevention Section ..... Jack Herbin

Labour Standards Division

Director ..... A.R. Mitchell

Office of the Fire Marshal

Fire Marshal ..... T. Makin

Stationary Engineers Board

Chairman	C.W. Purcell
Inspector-Examiner	K.W. Daniels
Members	R.I. McNabb
	A.B. Hill
	F.J. MacDonald
	W.C. Harris

Labour Relations Board

Chairman	Judge R.J. McCleave
Vice-Chairman	P.E. Darby
Chief Executive Officer	K.H. Horne
Members	D.G. Burchell
	A.R. Harrington
	L.F. McKay
	M. McIntyre
Alternate Members	W.H. Tidmarsh
	P.O'Brien
	P. Landry
	J.G. Boudreau
	F.J. Creaser
	J.G. MacDonald
	E.M. MacNeil

Construction Industry Panel—
Labour Relations Board

Chairman	Judge R.J. McCleave
Vice-Chairman	P.E. Darby
Chief Executive Officer	K.H. Horne
Members	F.J. Creaser
	E.M. MacNeil
Alternate Members	J.G. MacDonald
	D. MacDonald Jr.
	A. Rafuse
	D.G. Burchell
	A.R. Harrington
	L.F. McKay
	C. "Mark" Cleary

Labour Standards Tribunal

Chairman	Stephen Mont
Executive Officer	G. Ross
Members	M.H. Martell
	Ann Hebb
Alternate Member	Cheryl Taylor

Minimum Wage Board

Chairman	Arnold Meisner
Members	F. Belshaw
	D. Cook
	C. Davis
	A. Meisner
	B. Ross

Board of Examiners for the Certification of Blasters

Chairman	D.D. Todd
Members	Walter G. Bisson
	Edward W. Carlson

Board of Examiners of Mining Examinations

Chairman	K. MacLeod, P.Eng.
Members	A. MacKenzie, P. Eng.
	J. Reid, P. Eng.
	H. Staunwhite, P. Eng.
Secretary	C. White, P. Eng.

INTRODUCTION

The Nova Scotia Department of Labour marked 57 years of service to labour, management, and the general public on March 31, 1989.

The act that established a department of the government of Nova Scotia called the Department of Labour, to be presided over by the Minister of Labour, was passed March 31, 1932. The annual report for the first year's operation of the Department included reports of the Minimum Wage Board, Employment Services Office, and the Supervisor of Unemployment Relief. Of those three, only the Minimum Wage Board remains today.

The Department was assigned additional responsibilities of manpower training in 1981 with the proclamation of An Act to Provide for a Department of Labour and Manpower. The new legislation also changed the Department's name to the Department of Labour and Manpower.

In November 1985 the Manpower Section was transferred from the Department of Labour and Manpower and combined with the Vocational and Technical Training portion of the Department of Education to form the new Department of Human Resources, Development and Training. On June 25, 1986 the department was renamed the Department of Vocational and Technical Training.

On January 1, 1986, the Department of Labour and Manpower assumed responsibility for occupational health and safety matters when the new Occupational Health and Safety Act was proclaimed.

On June 25, 1986 the department's name was changed from the Department of Labour and Manpower to the Department of Labour.

The Department of Labour is also responsible for industrial relations, labour standards, fire prevention and protection, and research. Fire prevention and protection are covered in the Annual Report of the Fire Marshal.

OCCUPATIONAL HEALTH AND SAFETY DIVISION

The Occupational Health and Safety Division was formed January 1, 1986, with the proclamation of the Occupational Health and Safety Act.

The new division was given responsibility for administering occupational health and safety legislation that affected workplaces that fall under provincial jurisdiction, in addition to:

- administering regulations pursuant to the Occupational Health and Safety Act,
- initiating and maintaining a comprehensive education program,
- developing new strategies, regulations, guidelines, codes, and hazard alerts to help prevent occupation-related injuries and illnesses.

OCCUPATIONAL SAFETY

The function of the Occupational Safety Section of the Department of Labour is to ensure that the safety and health of the public is protected by the effective administration of acts and regulations pertaining to steam boilers, pressure vessels, refrigeration plants, welding procedures, industrial establishments, elevators and lifts, construction projects, and amusement devices. This division also has the responsibility of administering the Stationary Engineers Act and Regulations, which control the certification of all power plants and stationary engineers in Nova Scotia.

The Occupational Safety Section applies regulations and safety codes in order to maintain safe conditions related to equipment and work. The experience gained by the application of code rules is periodically assessed to determine the need for improving the rules. A code rule or a regulation may be modified; in all such cases a minimum acceptable safety standard must be the basis for any modification.

The Department of Labour contributes to the development of codes and standards principally by way of representation on committees of the Canadian Standards Association.

Inspections on elevating devices and boilers and pressure vessels were carried out on behalf of Labour Canada.

Occupational Health and Safety Act

The Occupational Health and Safety Act embraces all workplaces in the province and is designed to protect all workers from the hazards they may encounter at work.

When the Occupational Health and Safety Act became law the Industrial Safety Act and the Construction Safety Act were repealed, but the regulations of each of these acts were maintained as regulations pursuant to the Occupational Health and Safety Act.

The Occupational Health and Safety Act requires that employers ensure the health and safety of workers and that employees do everything that is reasonable to protect their own health and safety and that of others at the workplace.

Inspectors appointed under the authority of the act may enter any workplace at any reasonable hour of the day or night to inspect, conduct tests, or conduct investigations. Inspectors may also examine documents or plans to discuss the matters of concern with people who are involved, or summons people who are involved, or summons people who give evidence.

An inspector appointed under the authority of the act may issue a stop work order setting out that certain directions must be carried out within such time as specified. A stop work order may be issued for an entire workplace or any part of a workplace.

Under the act, 63 stop work orders were issued. In the majority of cases, unsafe conditions were attended to before the effective time and date of the stop work order.

There were four noise, air, and light surveys conducted in cooperation with the Occupational Health Section of the Department of Labour. Directions issued as the consequences of any survey were made known to the affected parties and the necessary corrective action was carried out. Investigation was made of 207 complaints, which were resolved to the satisfaction of the employer and employee.

Fatal Accidents

There were 11 fatal accidents reported to the Occupational Health and Safety Division during the period contained in this report.

Between April 1, 1988, and March 31, 1989:

- judgements were delivered on charges laid against four defendants
- convictions or guilty pleas were entered against all four defendants
- fines levied totaled $8,700.

Steam Boiler and Pressure Vessel Act

The Steam Boiler and Pressure Vessel Act applies to steam boilers operating at a pressure in excess of 15 pounds per square inch, and to pressure vessels having an external pressure in excess of 15 pounds per square inch and having an inside diameter of more than six inches. The act also applies to refrigerator plants having a capacity in excess of three tons in 24 hours. Boilers, pressure vessels and refrigeration plants are initially inspected after installation and subsequently inspected on a regular basis in order to check on conditions that bear upon the life and safe operation of the equipment.

Equipment subject to the Steam Boiler and Pressure Vessel Act is substantially constructed in accordance with the Canadian Standards Association Code for the Construction and Inspection of Boilers and Pressure Vessels. The inspection of equipment manufactured in Nova Scotia is carried out by a provincial inspector; equipment manufactured outside Nova Scotia and for use in the province is subject to inspection by a recognized authority in the United States or Canada and is acceptable under the act upon the basis of a receipt of an affidavit from the manufacturer.

Welders engaged in boiler and pressure vessel construction or repair are tested under Section XI of the American Society of Mechanical Engineers' Code for welding qualifications. The department tested 966 welders during the fiscal year.

Elevators and Lifts Act

The Elevators and Lifts Act applies to the installation of elevating devices for the physically disabled, passenger and freight elevators, escalators, dumbwaiters, manlifts and incline lifts such as ski-lifts and T-bars. The act

also applies to major and minor alterations to elevating equipment. The owners of elevators and lifts are required to have their equipment inspected at least once annually.

The latest edition of the Canadian Standards Association Safety Code for elevators, dumbwaiters, and escalators is the standard that is followed by the inspectors in carrying out their duties under the act and regulations.

The Elevators and Lifts Act requires that no person shall commence a new installation or a major alteration of an elevator, dumbwaiter, escalator, manlift or incline lift until the drawings and specifications have been approved by the Chief Inspector.

No owner of an elevator, dumbwaiter, escalator, manlift or incline lift shall operate it or cause or permit it to be operated unless it is licensed under the act.

Amusement Devices Safety Act

The Amusement Devices Safety Act provides for the inspection and licensing of amusement devices and temporary structures at carnivals, fairs, and amusement parks.

The legislation ensures that the equipment is designed, assembled, dismantled, and operated in a manner that will guard against injuries to the general public.

In order to be operated, amusement equipment must be licensed. Licenses will be granted when a Certificate of Inspection has been issued and proof of financial responsibility has been provided to the Amusement Regulation Division, Department of Consumer Affairs. Financial responsibility means that insurance provisions have been made for persons injured or killed while in or about the equipment.

MINE SAFETY INSPECTION AND MINE RESCUE

The Section is responsible for healthy and safe working conditions in all mines under provincial jurisdiction. It is responsible for ensuring rescue training, a service also provided to mines under federal jurisdiction. Persons working in mines are required to be certified by a board of examiners.

The Mine Safety Section also administers and enforces the federal Explosive Act with respect to possession and storage of explosives on mine properties. A system of licenses and permits supported by inspections is used to enforce the act.

Offices and Personnel

In addition to the head office in Halifax, the Mines Division maintains branch offices in Glace Bay, Stellarton, and Springhill. The Stellarton office maintains a mine rescue emergency station that contains mine rescue equipment, which can be dispatched to mine emergencies anywhere in the province. In emergencies the rescue station can provide 17 self-contained breathing apparatus and associated mine rescue equipment.

Mine Safety Training and Promotion

Promotion of safety in the mines is a continuing and primary goal of the section. Safety officers are actively engaged in promoting safety programs and meet frequently with management to review safety standards and practices in the mines. Before new mines are opened, staff meet with management to review mine plans and work methods to ensure that these standards are consistent with Nova Scotia legislation.

Staff conducted 69 training sessions in 1988–1989. These included in mine rescue and emergency first aid in underground mines.

Mine Safety Inspection

Routine mine inspections are conducted under the authority of the Occupational Health and Safety Act, the Coal Mines Regulations Act, and the Metaliferous Mines and Quarries Regulations Act.

Inspectors and Enforcement

In 1988–89 there were 390 inspections, plus 54 mine rescue station inspections. In addition, safety officers, on behalf of the Board of Examiners, conducted underground examinations for certificates of competency for coal mines, mine examiners and hoist operators.

Mine Rescue

The Mine Rescue program is designed to promote the application of sound mine rescue principles:

- to protect those actively engaged in the work of recovery in emergency,
- to rescue people that may be trapped, and
- to rehabilitate the mine facilities.

The department has a fully equipped mine rescue station in Stellarton.

Mine Rescue Competition

The annual Provincial Mine Rescue Competition was held at the Miners Forum, Glace Bay, on June 17 and 18, 1988. Eight teams competed in six different tasks (written, gas and bench, first aid, firefighting, smoke room, and obstacle task). Each task put the teams through simulated conditions that were as close as possible to a real emergency.

Trophies were given for each task and the overall trophy was won by a team from the Phalen Mine, Cape Breton Development Corporation captained by Robert McLean.

There was no National Mine Rescue Competition in 1988.

ACCIDENT PREVENTION

During the period in this report the Accident Prevention Section made 1,750 contacts with industry/institutions.

The following courses were conducted:

- Asbestos awareness, 17 programs were conducted with a total of 261 participants.
- Accident Investigation Courses, six courses, 104 participants.
- Health & Safety Committee Courses, eight courses, 84 participants.
- Entry Into Confined Space Course, one course, 20 participants.

- Conducted 16 Trenching and Confined Spaces Overview Courses for 41 municipalities in the province, 238 participants.

Workplace Hazardous Materials Information System (WHMIS)

Six Occupational Health & Safety Division personnel attended a five-day Train-the-Trainer program on WHMIS the week of May 2, 1988.

As a result of this program, the WHMIS Train-the-Trainer program was designed and the necessary printing carried out through the summer months. The first WHMIS Train-the-Trainer two-day programs commenced the week of the 27th of September. There have been 1,793 participants in 110 courses to March 31, 1989.

The section also conducted a variety of programs dealing with accident prevention structures, awareness programming, responsibility/accountability programming, Occupational Health and Safety Act video presentations, and special program requests for in-plant programs.

The conversion of the 16 mm film library to a 1/2-inch video tape library continues. There are 184 tapes in this library to date.

Interest also continues in the correspondence course, "Management Guide to Loss Control." To the end of the year, 227 participants have completed the course.

The Accident Prevention Section participated in programs with the University College of Cape Breton, the Technical University of Nova Scotia and various associations.

The Coordinator of Safety Awareness Programming made 184 contacts with institutes of technology, adult vocational schools, community colleges and other schools in the academic systems.

The coordinator also:

- Completed health and safety audits at Dalhousie and St. Mary's Universities and assisted top management in structuring policies and responsibilities/accountabilities in health and safety.
- Conducted night courses on occupational safety for teachers in "Teacher Training Program" from Department of Advanced Education

and Job Training. There were 20 participants in Dartmouth and seven in Halifax, at the Nova Scotia Institute of Technology.

- Conducted summer school program in accident prevention for third year teachers at the Nova Scotia Teachers College, Truro. There were 26 participants.
- Gave presentations on selected subjects to groups of students in Community Colleges, etc. Approximately 2,000 students participated.
- Conducted WHMIS Train-the-Trainer programs in five universities, colleges, community colleges, and general industry.
- As a result of a meeting with the Deputy Minister of Education, and a series of meetings with Media Services and a team of professionals, work began to design and produce an introductory program for health and safety commencing in kindergarten. The initial test program will involve three video tapes of three minutes each and will deal with the home, the neighbourhood, and the school as perceived by a child in kindergarten. If this program is successful, health and safety may become a part of the curriculum from kindergarten to grade three.

OCCUPATIONAL HEALTH

The Occupational Health Section is responsible for providing resources to employers, employees, and government representatives to ensure that matters related to occupational health and hygiene in the workplace are adequately addressed.

The section places its emphasis on creating an awareness of potential and actual hazards in the work environment, with special effort being directed towards control and prevention. To accomplish this the staff provides consultation services in the workplace, participates in educational training programs across the province, and makes available an information service.

Activities

The occupational hygienists and occupational health nurse consultant provided field services primarily on a request basis. The section handled in excess of 1,700 enquiries related to health and hygiene over the phone or through correspondence. On-site workplace inspections and meetings numbered in excess of 170 through the year.

In addition to providing on-site services, the section has also undertaken evaluations of specific industry sectors. During the fiscal year, staff evaluated the radiator and gasoline tank repair industry. A similar review, of welding operations in metal fabrication shops, was begun.

Ongoing promotion of the section's services included the participation of the occupational hygienists and occupational nursing consultant in lectures at short courses for government agencies, educational institutions, and employee and employer work-shops. Staff also actively participate in committees at both the federal and provincial levels, as well as with professional associations in occupational health and hygiene fields.

Retirement

During the 1988–89 year the Director of Occupational Health Section, T. Mejzner, retired after 15 years of service with the section.

RESEARCH DIVISION

The Research Division is responsible for developing and disseminating information related to collective bargaining activity and other labour-related issues in Nova Scotia. This information is then used in the formation of legislation, programs, and administrative policies. Publications and research undertaken by the division are made available to the department, as well as labour, management, other government agencies, and the general public.

RESEARCH ACTIVITY

During the period under review key provisions from all collective agreements received by the department are coded and maintained in a computerized data base. This data base provides immediate information regarding the terms and conditions of work for unionized employees in Nova Scotia. As well, the data base provides the basis for the publication biennial *Negotiated Working Conditions in Nova Scotia*.

In January 1989 the division began publishing the *Industrial Relations Review*. Produced monthly this publication provides timely information with respect to collective bargaining activity, workstoppage statistics, Labour Relations Board and Construction Industry Panel orders, and summaries of recent arbitration awards.

The division summarizes all grievance arbitrations filed with the department. These summaries provide the basis for the annual publication *Compendium of Grievance Arbitration Decisions*. The summaries of the arbitrations outline the issues, the arbitrator's decision, and the arbitrator's award. Issues are indexed according to the Brown and Beatty standard.

Labour Organizations in Nova Scotia 1988 was produced to supply interested parties with a directory of labour unions and the names and addresses of the principal officials associated with each. The publication also contains several statistical tables relating to union membership in Nova Scotia by union, size, location, and industry.

As well, the division responds daily to a wide variety of requests from labour, management, other government departments, and the general public. These requests focus primarily on recent activity in collective

bargaining, the provincial labour market, and general economic activity. On average the division handles 600 requests per year.

LIBRARY

The Department of Labour Library was established in 1970. At the end of the fiscal year there were approximately 4,500 titles (books and government documents) and approximately 350 periodical titles in the collection. Library holdings cover such areas as labour legislation, working conditions, industrial relations, fire prevention, and health and safety in the workplace. Computer software is being employed to automate library functions. This software is also being used to compile a database of Nova Scotia labour arbitration decisions for inclusion in the annual *Compendium of Labour Arbitrations*. The Library provides information and services to department staff, other government departments, unions, management, and the general public.

ADMINISTRATION AND ACCOUNTING DIVISION

The Administration and Accounting Division is the internal administration arm of the department. Essentially, it is responsible for the preparation and control of budgets and appropriations, and the efficient and economical utilization of staff, space, and equipment in consultation with directors of the various divisions. The director recommends promotions, compensation, disciplinary action, and terminations to the Deputy Minister after conferring with the directors concerned. The division coordinates the various administrative functions of the department and acts as liaison with other departments of government, the Civil Service Commission, and the Auditor General.

INDUSTRIAL RELATIONS DIVISION

The Trade Union Act establishes the right of employees to organize and sets out the procedure for orderly collective bargaining. In an endeavour to encourage and promote harmonious labour-management relations, the Industrial Relations Division was set up to provide impartial conciliation and mediation services to labour and management.

The Industrial Relations Division is charged with the administration of the Trade Union Act. Under the act, the duties and functions of the division are many and varied.

CONCILIATION/MEDIATION

This includes the appointment of Conciliation/Mediation Officers in labour-management disputes and the processing of Conciliation Board appointments and Industrial Inquiry Commissions regarding negotiations for a renewal or revision of the agreement or the conclusion of a new collective agreement.

Labour Relations Board

The Labour Relations Board and its Construction Industry Panel carry out the functions related to the certification of trade unions, revocation or amendment of certification and complaints related to jurisdictional disputes. The Board has numerous other functions including the investigation of alleged unfair labour practices and refusals to bargain.

Conciliation

Conciliation officers dealt with 174 cases. Of these, 46 were in process April 1, 1988, and 128 were new cases. Conciliation officers settled 107 of their cases. Five cases lapsed, two were withdrawn, one was referred to mediation and one to arbitration under the Teachers Collective Bargaining Act. In one case, the business closed. Two cases were reported as inactive. Six cases were referred to four conciliation boards, two of which were Construction Industry Boards. One case was referred to an Industrial Inquiry Commission. At the end of the year, 48 cases were pending.

Conciliation Board Level

There were no cases pending from the previous year at the Conciliation Board Level. Four conciliation boards, two of which were Construction Industry Boards, representing six conciliation cases, were constituted at this level during 1988-89. Three Boards settled and one remains pending.

Industrial Inquiry Commission Level

There were no cases pending at this level from the 1987-88 fiscal year. One Industrial Inquiry Commission was appointed and settled at this level during the year.

Mediation

There was one case referred to the mediation officer level and was settled during the year.

CONCILIATION BOARDS

Two Conciliation Cases, One Construction Industry Board

1. Construction Management Bureau Limited

AND International Union of Bricklayers & Allied Craftsmen, Locals 2 & 3 (Tile)

AND United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of United States and Canada, Local 244

Commercial & Industrial Agreements

Chairman — S. Bruce Outhouse

Member — Keith MacRae

Member — Ron Pirie

Case Settled

2.	Construction Management Bureau Limited on Behalf of Certain Employers	AND Cape Breton Island Building & Construction Trades Council **Commercial Agreement** on Behalf of: United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of United States and Canada, Local 682
		AND Cape Breton Island Building & Construction Trades Council **Industrial Agreement** on Behalf of: United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of United States and Canada, Local 682 International Brotherhood of Electrical Workers, Local 1852
	Chairman	S. Bruce Outhouse
	Member	Allan Stapleton
	Member	Ron Pink
		Case Settled
3.	Town of North Sydney	AND Police Association of Nova Scotia, Local 223
	Chairman	R. Lorne MacDougall, Q.C.
	Member	Matthew Ryan
	Member	Charles MacDougall
		Case Settled

4.	Nova Scotia College of Art & Design	AND	Nova Scotia College of Art & Design Faculty Union
	Chairman		William H. Kydd
	Member		Donald H. McDougall, Q.C.
	Member		Howard Epstein
			Case Pending

Industrial Inquiry Commissions

1.	Dalhousie University	AND	Dalhousie Faculty Association
	Commissioner		S. Bruce Outhouse
			Case Settled

Mediation

1.	Nova Scotia College of Art & Design	AND	Nova Scotia College of Art & Design Faculty Union
	Mediator		W.J. McCallum
			Case Settled

LABOUR STANDARDS DIVISION

The function of the Labour Standards Division is to deal with inquiries and complaints from the public about whether a specific employment-related problem is affected by the Labour Standards Code of this province. Investigations of specific employment related situations are carried out and, if the Labour Standards Code is not being adhered to, the staff of the division takes action to ensure compliance with the Code. The Labour Standards Division also fulfills an advisory role to the public on how the Labour Standards Code should be applied to certain situations.

The Labour Standards Code contains provisions for the setting of minimum wage in all industries; the setting of industrial standards rates for the trades in the construction industry; it prohibits the employment of persons under 14 years of age, unless certain conditions are met, and persons under 16 years of age in certain industries. It requires employers to pay the same wage to female workers performing work that is substantially the same as that performed by male workers in the same establishment; and requires that female employees who qualify be granted maternity leave. It requires employers to maintain certain information in their payroll records; it imposes the requirement that all employees receive vacation pay; it protects an employee's right to receive wages earned; it requires employers and employees to give notice of termination of employment; and it requires that employees who qualify receive pay for certain designated holidays throughout the year.

Any decision rendered by the Labour Standards Division may be appealed to the Labour Standards Tribunal of Nova Scotia, which is established under the provisions of the Labour Standards Code and empowered to make decisions concerning the application of the Code.

Labour Standards staff may, in the course of their duties, carry out routine inspections of an employer's payroll records as well as conduct investigations arising from specific complaints.

During this year, routine inspections under the Labour Standards legislation were made throughout the province on 32 establishments, employing 1,031 employees. As a result, 11 firms were found to be in violation, involving 65 employees.

During the same period, 1,249 firms were contacted on complaints and 663 firms were found to be in violation.

Complaints were filed by 2,122 persons: 1,968 complaints were resolved after investigation and 2,033 violations of the code were found in those investigations. The Labour Standards Division collected $292,708.49 on behalf of these persons in situations where violations of the code were found. These violations of the code are broken down as follows:

INDUSTRIAL STANDARDS

Six trades in the construction industry in the City of Sydney and seven in the Cities of Halifax and Dartmouth come under the provisions of the Industrial Standards section of the Labour Standards Code.

The following rates were in effect in Halifax and Dartmouth at the end of the fiscal period:

Trade	**Rates Per Hour**
Carpentry Trade	$5.05
Plumbing, Steamfitting, and Pipefitting Trade	7.33
Labourers in Building Construction	5.80
Painting Trade	
Brush	4.50
Spray	4.65
Plastering Trades	6.38
Sheet Metal Trade	7.33
Electrical Trade	5.63
Charge Hand	5.78
Foreman	5.98

The following rates were in effect in Sydney at the end of the fiscal period:

Carpentry Trade	$5.95
Carpentry Foreman	6.40
Electrical Trade	
Industrial Manufacturing Construction Projects	
Charge Hand	4.55
Foreman	4.70

Labourers

Building Construction	5.25
Non-working Foreman	5.75
Jackhammer	5.60
Vibrators, Compactors, Tampers	5.40
Dynamite Helper	5.75
Dynamite Blaster	6.25
Concrete Storm and Sewer Pipelayer	5.50
Job Service Truck	5.50
Creosote Work	5.50
Cement Finisher	5.85
Sandblaster (masonry & concrete)	5.75
Burner & Welder	5.75
Signalman	5.50

Painting Trade

Journeyman	5.35
Foreman	5.85

Plumbing & Pipefitting Trades

Journeyman	5.95
Foreman	6.40

These rates in all cases are for a regular work week of 40 hours.

During the fiscal period no violation was found involving this section of the Labour Standards Code.

Hours of Labour

No violation involving this section of the Labour Standards Code was found.

Employment of Children

One firm was found to be violation of this section of the Labour Standards Code, involving two employees.

Equal Pay

No violation involving this section of the Labour Standards Code was found.

Maternity Leave

No violation involving this section of the Labour Standards Code was found.

Records

Two firms involving two persons were found to be in violation of this section of the Labour Standards Code. Management was instructed to keep proper records and agreed to comply.

Vacation Pay

Because the owners cannot be located, 951 vacation stamp books, one envelope containing vacation stamps, and 126 cheques were held. The books contain stamps to the value of $7,211.98, the envelope contains stamps to the value of $1.23, and the cheques total in value $922.49.

There were 456 firms found to be in violation of this section of the Labour Standards Code. As a result of the investigations, 765 persons received $108,454.95 as vacation pay. There were no settlements reached involving 237 persons employed with 41 firms.

Minimum Wage

Forty firms were found to be in violation of this section of the Labour Standards Code. As a result of the investigations, 59 persons were paid $7,133.35 as wages by their employers or former employers. There was no settlement reached on a violation involving one person employed by one firm.

Protection of Pay

There were 316 firms found to be in violation of this section of the code. As a result of the investigations, 511 persons received $132,567.13 as wages. No settlements were reached on violations involving 190 persons employed with 37 firms.

Termination of Employment

It was found that 120 firms were in violation of this section of the Labour Standards Code. As a result of the investigations, 134 persons were paid $36,635.37 as wages in lieu of notice by their former employers. No settlement was reached on violations involving two persons employed in two firms.

Holidays with Pay

Twenty-five firms were found to be in violation of this section of the code, which resulted in $7,917.69 as holiday pay being paid to 129 persons by their employers.

Occupational Health and Safety

Under the Regulations pursuant to the Occupational Health and Safety Act individuals who are not subject to a collective agreement and who have exercised their right to refuse work they believe to be unsafe, or those who feel they have been discriminated against for reasons prohibited by the Occupational Health and Safety Act, may proceed through the Labour Standards Division, Department of Labour, when they are not subject to a collective agreement. During the period reported the Labour Standards Division received one inquiry from a worker who had felt he was being discriminated against. That inquiry never was put into writing by the employee affected.

BOARDS AND TRIBUNALS

LABOUR RELATIONS BOARD

During the fiscal year ending March 31, 1989, the Labour Relations Board (Nova Scotia) issued 23 certification orders. In addition, 17 applications were dismissed, and one case was withdrawn. Seven applications for amendment were granted, while an additional two applications for amendment were withdrawn. Seven Board orders were revoked during the period.

Eight complaints of unfair labour practice were submitted to the Board, of which five were withdrawn. One case was dismissed.

The Board received two complaints of failure to negotiate. One case was dismissed.

Under Section 29 of the Trade Union Act, the Board granted three applications for successor rights.

CONSTRUCTION INDUSTRY PANEL

The Construction Industry Panel granted 59 applications for certification. Ten cases were dismissed and two were withdrawn.

Four complaints of unfair labour practice were filed with the Panel: two were withdrawn and violations were found in the other two cases.

Two complaints alleging jurisdictional dispute were filed with the Panel, both resulted in interim orders being issued.

Four applications for an appeal of a Panel order were received, with three being confirmed and one revoked.

Under Section 29 of the Trade Union Act, five applications were filed: the Panel granted two and three were withdrawn.

LABOUR STANDARDS TRIBUNAL

The Labour Standards Tribunal is a part-time body that hears complaints of failure to comply with the Labour Standards Code. This code came into effect by proclamation on February 1, 1973.

Pursuant to the code, the complaints may be heard by the Labour Standards Tribunal in the form of appeals by employers or employees against the Director of Labour Standards Orders or appeals by complainants after the Director has found no violation of the code. If the Tribunal after hearing an appeal, finds wages or other benefits owing, it may issue an order for compliance. By a recent amendment to the code, the Tribunal is deemed to hold a mortgage on the assets of the employer for the amount set out in the order which takes priority over all other liens for wages due workmen. The Tribunal's mortgage may be enforced by foreclosure proceedings.

A breakdown of the sections of the code violated is shown below. A complaint may involve a violation of more than one section of the code.

Violation of	Total Complaints	Ordered To Pay	Dismissed	Settled	Withdrawn	No Hearing
Minimum Wage	4	2	1	-	1	-
Protection of Pay	26	11	7	2	2	4
Vacation Pay	45	23	5	5	5	7
Termination of Employment	32	13	11	3	1	4
Holiday Pay	3	1	1	-	1	-
	110	**50**	**25**	**10**	**10**	**15**

Between April 1, 1988, and March 31, 1989, the Tribunal issued orders to pay amounting to $21,797.61, which represented monies owed to 29 employees. During the same period a total of $10,424.40 was collected in settlement of the above order affecting 15 employees. Monies were also collected amounting to $7,678.16 during the period, representing payment of tribunal orders that were issued in previous fiscal years.

MINIMUM WAGE BOARD

The Nova Scotia Minimum Wage Board, under Chairman Arnold Meisner, met once during the year end and held several conference calls on matters within its jurisdiction. The following orders were in effect at the end of the period under review:

Minimum Wage Orders

These rates are for 48 working hours per week. Provisions are set out in the order for overtime, for workers on piece work and for deductions for board and lodging. All time during which an employee is required to wait for work on the employer's premises is counted as working time.

Minimum Wage Rates for Experienced Adult Workers

General Order, Beauty Parlour Order, Road Building and Heavy Construction Order, Logging and Forestry Order*:

Rates per Hour	Effective
$4.50	January 1, 1989

*Logging and Forestry Order. As of January 1, 1989, persons with no fixed work week earn $875 per month.

Minimum Wage Rate for Workers under 18 years

General Order:

Rate per Hour	Effective
$4.05	January 1, 1989

Minimum Wage Rate for Inexperienced Workers

General Order:

Rate per Hour	Effective
$4.05	January 1, 1989

Beauty Parlour Order:

Rates per Hour	Effective
$3.35 1st three months	January 1, 1989
$3.70 2nd three months	January 1, 1989
$4.05 3rd three months	January 1, 1989

STATIONARY ENGINEERS BOARD

A part-time board of examiners reviews and assesses all applications and examinations of persons seeking certification under the provisions of the Stationary Engineers Act. The Stationary Engineers Board consists of a chairman plus four other members. The day-to-day operations related to the administration of the act are carried out by a full-time staff.

BOARD OF EXAMINERS FOR THE CERTIFICATION OF BLASTERS

A part-time Board determines the subject matter in which applicants for Blasters' Certificates of Qualifications should be examined and provides for those examinations to ensure the safety of workers and the public at or near a site where explosives are to be used.

BOARD OF EXAMINERS OF MINING EXAMINATIONS

Under the Coal Mines Regulation Act, certain positions in underground coal mining must be filled by persons who must meet specified standards of fitness, training and competency.

The Board of Examiners, appointed under the regulations, is responsible for overseeing the training and setting of examinations and issuing the Certificate of Competency.

The Board consists of five members and one ex-officio member from Labour Canada.

Training and examination for Certificates of Competency include first- and second-class mine manager, underground manager, supervisor, mine examiner, mine electrician, mine mechanics first- and second-class, and hoist operator.

The Board is also responsible for making recommendations to the Minister for changes to Regulations as necessary for the Board to properly carry out its duties.

STATISTICS

OCCUPATIONAL HEALTH AND SAFETY DIVISION

Occupational Health & Safety Act

Inspections	2,759
Accidents Investigated	94
Stop Work Orders	63
Prosecutions	0

Directions Issued Under the Industrial Safety Regulations

Sanitation	42
Ventilation	25
Lighting	13
Machine Guarding	123
Personal Protective Equipment	71
First Aid Facilities	9
Housekeeping	129
Fire Protection	101
Electrical	55
Miscellaneous	2
Total	570

Inspections — Construction Safety Regulations

General Contractor	1,861
Sub-Contractor	162
Accidents Investigated	50
Total Inspections	2,073
Stop Work Orders	29
Prosecutions	5

Directions Issued — Construction Safety Regulations

Access to Work Place	40
Bins and Hoppers	0
Bracing and Supports	0
Compressed Air	0
Construction Equipment	0
Demolition	0
Electrical Supply	64
Excavations	92
Explosive Tools	11
Explosives	14
Fencing and Barricades	14
Fire Protection	6
First Aid	37
Flooring	18
Formwork	0
Guarding Machinery	9
Guardrails and Openings	138
Handtools	2
Handling Materials	3
Hoists-Workmen	13
Hoists-Material	0
Housekeeping	106
Ladders	55
Personal Protection	226
Pile-Driving	1
Platforms, Runways, and Ramps	11
Portable Power Tools	0
Power Driven Cranes Shovels	7
Repairs to Machinery	2
Sanitation	33
Scaffolds	300
Stairs	12
Tank and Vessels	0

Temporary Heat	3
Ventilation of Excavations	0
Welding and Burning	20
Wharves and Docks	5
Woodworking	0
Working Over Water	1
Total	1,243

Inspections — Amusement Devices Safety Act

Initial Inspections	80
Re-Inspection	380
Surveys of Equipment	0
Total Inspections	460

Inspections — Steam Boiler and Pressure Vessel Act

General Inspections	517
External Inspections	2,310
Inspections of New Installations	390
Shop Inspections of Constructions	158
Plant Inspections	721
Piping	427
Hydrostatic Tests	456
Refrigeration Plants	38
Safety Valves Tested	86
Removed from Service — Boilers	10
Removed from Service — Pressure Vessels	10
Accident Investigations	1
Total Inspections	5,124

Related Services — Steam Boiler and Pressure Vessel Act

X-Rays Examined	9,117
Survey and Registration of Drawings	253
Reports Processed from Insurance Companies	1,626
Welding Tests	966

Inspections — Elevators and Lift Act

Annual Inspections — Department	1,346
Inspections — New Installations	85
Inspections — Major Installations	21
Equipment Removed from Service	19

Stationary Engineers Act

1.	(a) Certificates granted by oral supp. exam	8
	(b) Certificates granted through examination	332
Total		340
2.	Applications for Examination Refused	20
	(In all such cases the applicants had insufficient practical experience on regular shift to qualify for the class of examination for which they applied).	
3.	Certificates revoked, cancelled, or suspended	1
4.	Total fees received	$8,268.00
5.	New Plant Registrations	24
	(No fee required of Plant Registrations)	
6.	Total Candidates Examined	648
	Total number of papers passed	870
	Total number of papers failed	390

The Board examined 648 applicants in the province. At present, 307 plants are registered.

Mine Safety Inspection Statistics

Total Inspections	390
Total number of infractions (Occupational Health and Safety Act, Coal Mines Regulation Act, Metalliferous Mines and Quarries Act	234
Mine rescue station inspections	54
Mine rescue classes conducted	60
Reportable accidents	176
First aid classes	9

Blasters Certification

Total	32
First Class	0
Second Class	2
Third Class	7
Fourth Class	23
Total Certified Blasters to date	662

Examination Results for Certification Under the Coal Mines Regulations

Category	# of Candidates	Passed	Failed
Manager	5	5	0
Underground Manager	2	1	1
Supervisor	20	19	1
Mine Examiner	18	16	2
Hoist Operator	2	2	0
Mine Ele. - 1st Class	0	0	0
Mine Ele. - 2nd Class	0	0	0
Mine Mech. - 2nd Class	17	17	0
Mine Mech. - 1st Class	18	18	0
Console Operator	0	0	0
Mine Survey	1	1	0
Total	83	79	4

INDUSTRIAL RELATIONS

Conciliation Officer Level	**1988–89**		**1987–88**	
In process April 1, 1988	46		53	
New during period	128	174	141	194
Settled at officer level	107		129	
Referred to Conciliation Board	6		1	
Referred to Industrial Inquiry Commission	1		1	
Referred to mediation	1		1	
Referred to arbitration — Teachers Collective Bargaining Act	1		2	
Conciliation lapsed	5		11	
Conciliation withdrawn	2		1	
Business closed	1		0	
Certification revoked	0		1	
Certification dismissed	0		1	
Reported inactive	2		0	
In process March 31, 1989	48		46	
Total Number of Cases at Officer Level		174		194
Conciliation Boards				
In process April 1, 1988	0		0	
New during period	4	4	1	1
Settled at Board level	3		1	
In process March 31, 1989	1		0	
Total Number of Cases at Board Level		4		1

Industrial Inquiry Commission Level	**1988–89**		**1987–88**	
In process April 1, 1988	0		0	
New during period	1	1	1	1
Settled at Commission level	1		1	
In process March 31, 1989	0		0	
Total Number of Cases at Commission Level		1		1
Mediation Level				
In process April 1, 1988	0		0	
New during period	1	1	1	1
Settled during period	1		1	
In process March 31, 1989	0		0	
Total Number of Cases at Mediation Level		1		1

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL — SUMMARY OF ACTIVITIES

	Board		Panel	
	1988/89	1987/88	1988/89	1987/88
Application for Certification				
Granted	23	43	59	53
Dismissed	17	18	10	10
Withdrawn	1	1	2	4
Lapsed	-	4	-	-
Application for Amendment Orders				
Amended	7	5	-	-
Varied	-	-	-	-
Dismissed	-	2	-	-
Withdrawn	2	5	-	-
Confirmed	-	-	-	
Application for Revocation of Certification				
Revoked	7	2	-	-
Dismissed	-	-	1	1
Withdrawn	-	-	1	-
Complaints of Unfair Labour Practice				
Violation Found	3	1	2	-
Dismissed	1	2	-	-
Withdrawn	5	15	2	-

	Board		Panel	
	1988/89	1987/88	1988/89	1987/88
Complaints, Failure to Negotiate, Section 33(a)				
Ordered to bargain	1	-	-	-
Violation found	-	-	-	-
Dismissed	-	1	-	-
Withdrawn	1	5	-	-
Complaints re Collective Bargaining, Section 33(b)				
Violation found	-	-	-	-
Dismissed	-	-	-	-
Withdrawn	1	2	-	-
Application for Reconsideration of Board or Panel				
Granted	-	-	-	-
Dismissed	1	-	1	2
Withdrawn	-	1	2	-
Application for Declaration of Successor Rights, Section 29				
Granted	3	-	2	4
Dismissed	-	-	-	2
Withdrawn	-	1	3	4

	Board		Panel	
	1988/89	1987/88	1988/89	1987/88
Application for Declaration of Successor Rights Section 30				
Granted	2	1	-	-
Dismissed	-	-	-	-
Withdrawn	-	-	-	-
Complaints Alleging Illegal Work Stoppage				
Interim order	2	-	-	1
Dismissed	-	-	1	-
Withdrawn	-	-	-	-
Settled at officer level	1	-	3	2
Complaints Alleging Jurisdictional Disputes, Section 50				
Interim order	-	-	2	1
Dismissed	-	-	-	-
Withdrawn	-	-	-	-
Confirming order	-	-	-	-
Prohibited Activity of Union Section 52(d)				
Dismissed	1	-	-	-

	Board		Panel	
	1988/89	1987/88	1988/89	1987/88
Section 53				
Withdrawn	1	-	-	-
Application for Request for a Hearing of Panel, Section 93				
Confirmed	-	-	3	-
Revoked	-	-	1	2
Withdrawn	-	-	-	6
Applications Arising from Section 28				
Withdrawn	1	1	-	-

WORKSTOPPAGE STATISTICS FOR NOVA SCOTIA[1]

April 1988–March 1989

	Workstoppages			Persondays Lost		
	legal	un[2]	total	legal	un[2]	total
INDUSTRY						
Construction	1	2	3	22	59	81
Fishing	0	0	0	0	0	0
Forestry	0	0	0	0	0	0
Manufacturing	0	1	1	0	26	26
Mining	0	0	0	0	0	0
Public Admin	1	4	5	3,811	280	4,091
CBPS[3]	3	1	4	9,369	178	9,547
Trade	0	0	0	0	0	0
TCU[4]	2	2	4	5,378	657	6,035
Total	**7**	**10**	**17**	**18,580**	**1,200**	**19,780**
DURATION						
One day or less	1	6	7	22	289	311
2 to 6 days	0	4	4	0	911	911
7 to 31 days	3	0	3	8,368	0	8,368
31 or more days	3	0	3	10,190	0	10,190
Total	**7**	**10**	**7**	**18,580**	**1,200**	**19,780**
WORKERS						
50 or less	4	4	8	6,302	92	6,394
51 to 200	2	6	8	5,378	1,108	6,486
201 to 500	0	0	0	0	0	0
More than 500	1	0	1	6,900	0	6,900
Total	**7**	**10**	**17**	**18,580**	**1,200**	**19,780**
PDL[5]						
50 or less	1	3	4	22	35	57
51 to 200	0	6	6	0	515	515
201 to 500	1	0	1	268	0	268
More than 500	5	1	6	18,290	650	18,940
Total	**7**	**10**	**17**	**18,580**	**1,200**	**19,780**

[1]preliminary figures
[2]UN = unofficial
[3]CBPS = Community, Business, & Personal Services
[4]TCU = Transportation, Communications, & Other Utilities
[5]PDL = Persondays Lost